

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

INITIAL STATEMENT OF REASONS

May 2007

TITLE 13, CALIFORNIA CODE OF REGULATIONS MODIFY CHAPTER 10, SECTION 1800 CONFLICT OF INTEREST CODE (CHP-R 07-01)

Section 87300 of the Government Code requires the Department of California Highway Patrol (CHP) to establish a Conflict of Interest Code to ensure that public employees perform their duties in an impartial manner, free from bias caused by personal financial interest. The CHP's Conflict of Interest Code is contained in Title 13, California Code of Regulations, Section 1800, and requires that designated individuals disclose all assets and income that may affect their official actions. CHP has identified additional positions which should be designated in the Conflict of Interest Code, positions which should be deleted from the Conflict of Interest Code, and changes in section/unit designations which were changed as a result of the a departmental reorganization.

PURPOSE OF REGULATIONS

Consultation with the Fair Political Practices Commission (FPPC) confirmed that due to numerous substantive changes, the CHP should replace the Appendix with one that reflects the current organization structure. In order to make these changes effective on a permanent basis, it is necessary for CHP to adopt them as formal regulation amendments. This amendment replaces the Appendix with Appendix A and Appendix B as follows:

1. Appendix A lists designated positions, formatted to coincide with the CHP's organization chart. In most cases, specific position titles are used in each respective office/division within the CHP. Disclosure categories have been assigned in accordance with Appendix B for each of the designated positions based on the level of decision-making authority or participation in decision-making.
2. Appendix B lists the disclosure categories developed using the Fair Political Practices Commission approved "Model."

STUDIES/RELATED FACTS

None

ALTERNATIVES

The CHP has not identified any alternative that would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

LOCAL MANDATE

This regulation does not impose any mandate on local agencies or school districts.

IMPACT ON BUSINESS

The CHP has not identified any impact on small business.

ECONOMIC IMPACT TO THE STATE

The CHP has determined that this regulation amendment will result in:

1. No significant compliance cost.
2. No impact on the level and distribution of costs and prices for large and small businesses.
3. No impact on the level of employment in the state.